

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JOSEPH JOHNSON,

Plaintiff,

**23-cv-1156 (JGK) (VF)**

-against-

**ORDER**

THE WESTIN NY AT TIMES SQUARE/MARRIOTT  
INTERNATIONAL

Defendant.  
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**VALERIE FIGUEREDO, United States Magistrate Judge**

In light of defense counsel's appearance on behalf of Defendant, and the Court's order granting Defendant an extension of the deadline to answer or otherwise respond to Plaintiff's complaint (see ECF No. 16), default judgment is not warranted or appropriate at this time. Accordingly, Plaintiff's July 24, 2023 motion for default judgment (ECF No. 15) is denied without prejudice. Plaintiff will be permitted to refile a motion for default judgment should the circumstances warrant such a motion. The Clerk of Court is directed to terminate the motion at ECF No. 15.

**SO ORDERED.**

DATED: New York, New York  
July 28, 2023



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VALERIE FIGUEREDO  
United States Magistrate Judge